

Kim Smith CT-2162  
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Coal Township Pa. 17866-1021

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Aug. 15, 2002

Thomas L. James  
Chief Grievance Coordinator  
Com. of Pa.  
Dept. of Correction  
2520 Lisburn Rd.  
P.O.Box 598  
Camp Hill Pa. 17001-0598

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SCRANTON

AUG 19 2002

PER   
DEPUTY CLERK

In Re: Health Care for serious illness, and Greivance no. 15086 final review  
*Civil Action no. 1:01-cv-01-0817*

Dear Sir:

The reason for this letter is that I'm dissatisfy with what I was told regarding the dignoses of Dr. Gregory of a condition of 2 adjacent cysts with some internal debris along the lateral aspect of the left popbteal focus, and the referreral to consult with an orthorpedic doctor. And Dr. Breen decision not to treat this and the support of the institution grievance officer, Warden Gillis, Your Office, and Dr. Arrow, Assistant Medical Director, Bureau of Health Care Services. And I feel this refusal to treat is deliberate and knowingly and intentionally done and is directed to the condition of confinement, and inmate health care, as I do not know of any agency in this Commonwealth who would see such a condition and not treat it or investigate it to find out the nature and cause of these cysts and address it, as if an inmate does not have a right to adequate health care for his illnesses or to have such corrected.

As in a recent case in this institution in which an inmate repeatedly went to the medical department complaining about pains in his leg and the medical staff at this

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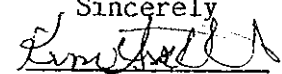
institution refused to treat his leg, and in the end they had to cut off his leg and then to make an assinine claim that gain green set in because he picked at the sore is so far fetched that any lay person would and could have seen the need for health care to his leg and it should not have been neglected to the point that gain green set in. And I not seen the inmate in medical complaining repeatedly about the pain in his leg for over 9 months then to hear because of their negligence they had to cut off his leg makes me wonder if I'm being placed in the same danger, and such is knowingly and intentionally being done. Any delay in treating or addressing the cysts behind left knee can put me at risk for the same or a loss of a leg, because the institutional medical staff refuses to address or treat such and then your office as well as other support this kind of abuse, and put inmate at risk and danger for serious health problems.

When hearing such and witnessing the denial of health care how could I not be concerned, and giving a knee support does not address the fact that I have 2 cysts behind the knee, and the nature and cause of such and any delay in treating such could put me at risk for serious health care problem, and any learned medical professional would know this and to deny treatment would hinder and aid and add to the condition and illness, I do not want to lose a leg because of the negligence of the health care professional and your office in the denial and supporting the denial of adequate health care. Because of the decision of your office in its Aug. 7, 2002 denial and supporting of the act of denial of health care for this condition understand if anything happens and the condition worsens or I lose a leg or other health problems because of this and the denial to treat I will in a Court of law hold you directly liable, ( Thomas L. James, Dr. Arrow, Warden Gillis, Health Care Administrator, Bureau of Health Care Services, Dept. of Correction, Prison Health Service, and any other party that has supported this denial of health care for the cysts behind left knee. You people act as though an inmate has no right to health care and the fact that I have 2 puss pockets behind knee that should not be there and have had such for years in which I have been refused health care for makes it seem conscience shocking to society that such a power in this Commonwealth will refuse to treat such a condition until it gets so bad that a person may have to lose a leg because of the denial of health care. A lay person can see the need for health care and the removal or draining of these cysts to see the reason for such and if they are cancer or another reason for them and to den, such treatment put a person at risk and is cruel punishment and deliberately done and knowingly and intentionally done. Sir you call yourself an educated man, if something was wrong with you would you not want to have it adequately addressed if it causes you pain, what makes you feel an inmate should be

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subjected to a lesser standard then that you would request if you had something wrong with you. How could you apply a standard that you your self is not willing to except as true and correct, and exspect this to be accepted by an inmate. Because I'm an inmate does not require I get treated indifferently for my health care needs, as it appears the Dept. Of Correect believe I do, violating the state and federal constitution, what is the reason for having a health care provider when no health care is adequately being provided, and to refuse treatment until you have to remove a leg, when that leg could have been saved. Is more of a cost and places more of a burden on society, if the health care providers would have adequately addressed the problem in the first place and ounce of prevention is worth a million for a cure, as now is the time to prevent the condition from worsening and a inmate becoming a burden on society, and to refuse such is cruel punishment.

Wherefore for these reason I must infom the federal court of the continue denial of health care for condition that if not treated could result in serious condition and put me a risk for lose of limb or other serious illnesses if not adequately addressed.

Sincerely  


Proof of Service

I hereby certify that I Kim Smith CT-2162 this 14<sup>th</sup> day of Aug, 2002 turned over to D block officers a true and correct copy of this letter/petition to forward to institutional mail room to forward to the United States Postal Service to mail first class mail to the below listed parties, in compliance with Fed. Rules of Civil Pro.

Mary D'Andrea  
Office of the Clerk  
U.S. District Court  
Middle District

John J. Talaber

James D. Young

Thomas L. James

Cathy Mc Vey

Bureau of Health Care Service

Prison Health Service

Dr Arrow

Dr. Breen

Correction Health Care Administrator W. Sewell